

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:

Spaich, 0:16-cv-04360-JNE-FLN
Manzanares, 0:16-cv-04381-JNE-FLN
Harkleroad, 0:16-cv-01986-JNE-FLN
Hurst, 0:16-cv-02083-JNE-FLN
Bryson, 0:16-cv-02936-JNE-FLN
Kaelin, 0:16-cv-03058-JNE-FLN

**DEFENDANTS' MOTION TO DISMISS FOR FAILURE TO COMPLY
WITH PRETRIAL ORDER NO. 14**

Pursuant to the Court's Pretrial Order No. 14 ("PTO 14"), entered September 27, 2016, Defendants 3M Company and Arizant Healthcare Inc. (collectively, "Defendants") move the Court to dismiss the following Plaintiffs' cases for failure to comply with PTO 14:

Case Number	Title	Firm Name
0:16-cv-04360-JNE-FLN	Spaich v. 3M Company	McGlynn, Glissoin & Mouton
0:16-cv-04381-JNE-FLN	Manzanares v. 3M Company	Bernstein Liebhard LLP
0:16-cv-01986-JNE-FLN	Harkleroad v. 3M Company et al.	Kennedy Hodges, L.L.P.
0:16-cv-02083-JNE-FLN	Hurst et al v. 3M Company et al.	Kennedy Hodges, L.L.P.
0:16-cv-02936-JNE-FLN	Bryson v. 3M Company	Pendley, Baudin & Coffin L.L.P.

0:16-cv-03058-JNE-FLN	Kaelin v. 3M Company et al.	Kennedy Hodges, L.L.P.
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As set forth in the accompanying memorandum of law, Plaintiffs Spaich and Manzanares listed above failed to serve a PFS as required by PTO 14, ¶ 2 and, to date, remain delinquent. Additionally, Plaintiffs Harkleroad, Hurst, Bryson, and Kaelin listed above each served a PFS, but the PFSs contain core deficiencies (as defined by PTO 14) that remain uncured. Defendants placed the above cases on the agenda for two sequential Court status conferences. Dismissal of these cases with prejudice is therefore appropriate under PTO 14, ¶ 8, and Defendants respectfully request the Court grant their motion regarding same.

Dated: July 6, 2017

Respectfully submitted,

s/ Benjamin W. Hulse

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